

In re Application of: Aharon Ronen Mizrahi et al  
Serial No.: 10/534,136  
Filed: February 22, 2006  
Office Action Mailing Date: April 22, 2010

Examiner: Scott L. Jarrett  
Group Art Unit: 3624  
Attorney Docket: 35935  
Confirmation No.: 8484

### **REMARKS**

Reconsideration of the above-identified application in view of the amendments above and the remarks following is respectfully requested.

Claims 1, 9, 12, 14-17, 19, 23, 46-51, 70-75, 88-100, 113-115 are in this Application. Claims 52-56 and 101-112 have been withdrawn from consideration. Claims 1, 9, 12, 14-17, 46-51, 70-75, 88-99, 113-115 have been rejected under 35 U.S.C. § 101. Claims 1, 9, 12, 14-17, 19, 23, 46, 47, 49-51, 70-72, 88-90, 95, 96, 100 and 113-115 have been rejected under 35 U.S.C. § 103(a). Claims 50, 52 and 73 have been rejected under 35 U.S.C. § 112. Claims 2-8, 10-11, 13, 18, 20-22, 24-45, 57-69, 76-87 have been canceled in a previous response. Claims 1, 9, 12, 14-17, 19, 46-51, 70-75, 88-99 and 113-115, have been amended herewith.

#### **37 CFR § 1.105 - requirement for information**

The Applicant provides herewith the following documents requested in the Office Action:

- MR-Live Product Overview presentation (2001); and
- NetOnCourse – Master of Future Think.

Applicant was unable to locate a copy of the document "NetOnCourse.com Webpages (2002)", which was also requested in this Office Action.

- The Examiner requests from the Applicant to provide, for each publication, a concise explanation of that publication's contribution to the description of the prior art. The publications contribution is provided herein:

1. NetOnCourse – Master of Future Think - this publication relates to web-casting products (M-I family of products) relating to live e-learning products. These products feature delivery of rich multi-media presentations

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to massive audience, large audience interaction, generation of newsgroups, provision of real time picture of audience status, and allows participants to send questions and opinions. These products do not relate to survey session or focus group and thus not considered as contributing to the prior art.

2. MR-Live Product Overview presentation (2001) – presents features of the MR-Live survey product. The described features include provision of displayed content, provision of multimedia content, open/closed questions and respondents' answers, to participants, receiving participants' responses, provision of real time statistics, handling large numbers of participants (>100), dynamic surveys generation, providing real time results, generating reports in real time.
  3. NetOnCourse.com Webpages (2002) – as these webpages are probably related to the products of invoke which where offered for sale in 2002, Applicant believes that they only describe web-casting products (M-I family of products) relating to live e-learning products.
- The Examiner requests from the Applicant to provide names of products or services incorporating the claimed subject matter. The product of the Applicant is “*Mass interaction (MI) life*”.
  - The Examiner requests from the Applicant to state the specific improvements of the claimed subject matter in claims conducting a survey session over the requested publications and to indicate the specific elements in the claimed subject matter that provide those improvements.

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Amended claim 1 relates to a method for an adaptive survey generation and conduction. The main improvements over the disclosure in the requested documents, *inter alia*, are:

- the questions in the survey of amended claim 1 may be adjusted and updated in real time during the survey sessions responsive to the answers received from the respondents;
- the questions in the survey of amended claim 1 may be further adjusted and updated in real time during the survey sessions responsive to the responses provided by the respondents to whom respondents' answers were presented; and
- the survey session of claim 1 may be adjusted and updated in real time responsive to reports generated during the survey which comprises survey statistics.

Amended claim 19 relates to a system for conducting a survey wherein the main improvements over the disclosure in the requested documents, *inter alia*, are in the presentation station being adapted to adjust the questions provided to the respondent stations for display responsive to the collected statements and/or the responses received from one or more second respondent stations to statements provided by at least one first respondent station.

- The Examiner requests from the Applicant to provide reliance placed on distinguishing the claimed subject matter from the prior art.

The Applicant asserts that the products produced by the company (Invoke, previously NetOnCourse) till late 2002 were eLearning products which were neither used nor intended for research or survey purposes.

Concerning the publication "*NetOnCourse – Master of Future Think*", this publication relates to live e-learning products which have nothing to do

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with survey session or focus group, such that no reliance was placed on this publication.

Concerning the publication "*MR-Live Product Overview presentation (2001)*", while this document relates to surveys in which respondents' answers to provided questions, and respondents' ratings, are collected, and based on which reports are provided, this disclosure was published before any MR-Live survey products were matured into releasable products.

Applicant further asserts that MR-Live survey related products were not sold, or offered for sale, by the company and were not in public use before the filing date of U.S. Provisional Application No. 60/424,328, November 07, 2002, on which this patent application is based.

Applicant further asserts that it took about a year to develop features described in U.S. Provisional Application No. 60/424,328, and that the first version of a product based on the disclosure of U.S. Provisional Application No. 60/424,328 was firstly deployed only in October of 2003.

### **Amendments To The Claims**

#### **35 U.S.C. § 101 Rejections**

Claims 1, 9, 12, 14-17, 46-51, 70-75, 88-99, 113-115 were rejected as allegedly directed to non-statutory subject matter, and, thus, allegedly not eligible for patenting under 35 U.S.C. § 101. Claims 1, 9, 12, 14-17, 46-51, 70-75, 88-99, 113-115, were amended such that the survey is conducted by means of a computerized survey system and respondent stations, and the execution of the method recited in these claims is limited to data transferred between the computerized survey system and the respondents stations. Since this data transfer scheme defines a structural and functional interrelationship permitting execution of the method steps, it should be realized that the amended method claims are not presenting program listing but are

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rather directed to a statutory process as required in MPEP 2106 (MPEP 2106 is referred in the "Guidance for Examining Process Claims in view of Bilski" memorandum of January 07, 2009). In particular, the carried out method recited in amended claim 1 is now unambiguously tied to a machine as its functionality is attached to the data transferred between the computerized survey system and the respondent stations, which functionality is not just input and output of data (e.g., generating reports and adjusting questions in the computerized survey station based on data received from the respondents stations). Accordingly, amended claims 1, 9, 12, 14-17, 46-51, 70-75, 88-99, 113-115, are tied to a particular machine, and the steps executed therein are limited to this particular machine, as required in the "Guidance for Examining Process Claims in view of Bilski" memorandum of January 07, 2009. In light of the claims amendments Applicant request withdrawal of this rejection.

#### 35 U.S.C. § 112 Rejections

Claims 50 and 73 have been amended as suggested in the Office Action to resolve the alleged insufficient antecedent basis in these claims.

#### 35 U.S.C. § 103 Rejections

#### Obviousness Rejections

**Claims 1, 9, 12, 14-17, 19, 23, 46, 47, 49-51, 70-72, 88-90, 95, 96, 100 and 113-115 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Brock* U.S. Patent No. 7,181,696 in view of *Davis* U.S. Patent No. 6,256,663.**

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Regarding claims 1, 19 and 46

Applicant believes that the subject matter of claims 1, 19 and 46 is not obvious over *Brock* in view of *Davis*. However, in order to expedite the examination, Applicant amended claims 1 and 19. The amended claims now recite providing a plurality of questions to respondent stations, where one or more of these questions are open questions. The amended claims further recites adjusting at least one question responsive to qualitative responses or answers to the plurality of questions, including to the one or more open questions.

For clarity, an open question is defined as a question "*to which respondents answer in their own words. This allows for collecting ideas from the respondents but makes the analysis much harder.*", see paragraph [0006] of the present application, and a closed question being a question "*in which the respondents need to select one or more of answers provided with the question or give a rating of a statement (e.g., agree/disagree, between 1 to 5).*", see paragraph [0005] of the present application.

These amendments are explicitly disclosed in the present application. In particular, providing open questions and collecting and analyzing responses to these open question is described throughout the specification, for example in paragraphs [0057], [0086], [0095], [0111], and [0124] of the present application.

The adjustment of the progression of a survey by adjusting questions responsive to qualitative responses or answers is explicitly described, *inter alia*, in a paragraph [0051], [0161-0164], [0173], [0215], [0241], [0243].

As outlined above, Applicant believes that the subject matter of amended claims 1, 19 and 46 is not obvious over *Brock* in view of *Davis*. *Brock* relates to market research studies employing respondents' ratings (col. 11 lines 34-39 of *Brock*), and respondents' comments to viewed web pages and in which the moderator is provided with glimpse views of the current state of the focus group (col. 5 lines 57-58

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of *Brock*). *Davis* relates to a chat room based focus group system wherein respondents can send chat messages in response to graphics, video or audio files, provided by the moderator. The combination of the teachings of *Brock* and *Davis* can only teach a survey system for ratings according to user comments in a multi participant chat. This combination does not teach any of the following features which are recited in amended claim 1:

*providing one or more open questions and receiving respondents answers thereto;*

*transferring respondents answers to other respondents;*

*collecting qualitative answers to these transferred answers from the other respondents; and*

*adjusting the survey progression, and in particular new questions provided to the respondents, according to the qualitative answers received from the respondents.*

As any of these features is not taught or implied in any of the cited references or by the combination thereof, Applicant believes that amended claim 1 not rendered obvious.

It should be noted the qualitative responses in amended claim 1 are the respondents' responses to answers provided by other respondents. This means that the *survey progression* which is set in amended claim 1 is based on a step of human evaluation, a feature that is not taught or implied in any cited references or from their combination. This feature by itself renders the claimed invention non obvious.

In addition, amended claim 1 now recites providing open questions in the survey session. This feature is not described nor suggested by *Brock* or *Davis*. *Brock* only describes a method and a system for carrying out market research studies by means of “*respondent browser device programmed to download and display the Web page and... that includes at least a favorable ratings button and an unfavorable ratings button*” (col. 4 lines 11-20). In *Brock* , a moderator computer is used to “*collect rating signals from the respondent computers corresponding to the activation*

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*of rating buttons on the graphical user interfaces of the respondent browsers"* (col. 4 lines 22-29). Moreover, *Brock* does not teach nor suggest the process of providing the respondents with open questions and receiving respondents qualitative answers to such questions. *Brock* cannot be modified to teach such a process as it is based to work on buttons/icons answers: "*respondent browser device is further programmed to query a user of the respondent computer for a comment responsive to a user activating a particular ratings button*" (col. 4 lines 31-37) and (col. 11 lines 34-39) (i.e., a type of closed question).

*Davis* cannot be combined with *Brock* to teach the claimed invention as it does not teach provision of open questions to respondents, nor adaptive generation or adjustment of questions during a survey session.

*Davis* only describes a system for conducting focus group discussions in chat rooms wherein respondents can send chat messages in response to graphics, video or audio files, provided by the moderator. For example see the following citations from *Davis*: "*the respondent (not shown) to view a plurality of displayed respondent chat messages 310 which may include text 310A or graphic images 310B*" (col. 3 lines 56-59), "*the moderator ... leads the respondent chat discussion may post graphics for display in the message window 162 to solicit respondent responses. Of course, the principles of the present invention are equally applicable to audio and video files as well.*" (col. 6 lines 10-16). *Davis* does not teach transferring respondents answers to questions and receiving respondents' qualitative responses to the same, as implied in the Office communication. In fact, in *Davis* actually teaches away from transferring answers for respondents evaluation as it teaches that the "*respondent computer interface also prevents or blocks respondents from viewing and generating client chat messages and moderator chat messages*" (col. 2 lines 44-47), such that moderator's chat messages are blocked and thus can not be viewed in the respondents' computers. In other words, *Davis*'s moderator intentionally and specifically has no ability to provide respondents with data other than the graphics, video or audio content.

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It should be noted that data which is monitored by a chat participate has a limited volume. A participate may react to answers and/or questions which are provided by a limited number of participates in the chat, for example about 20. Such a participate cannot monitor and analyze large scale traffic in the chat, for example of hundreds or thousands of chat participant. The claimed invention, on the other hand, is not limited to the number of respondents it monitors and therefore can work in real time, in large scales.

In light of the above, it is respectfully submitted that independent amended Claim 1 is not obvious for all of the above reasons. Furthermore, it is believed that currently pending claims 9, 12, 14-17, 46, 47-51, 70-75, 88-99, and 113-115 are novel and inventive as being dependent on amended Claim 1.

#### Regarding claim 19

The arguments made above in respect of claim 1 apply *mutatis mutandis* to independent claim 19. Based on these arguments, Applicant asserts that amended claim 19 is an allowable main claim and that dependent claims 23 and 100 are consequently allowable as being dependent on an allowable main claim.

#### Particular arguments regarding some of the dependent claims

##### Claim 9

*Davis's* focus group discussions are based on respondents' chat messages provided in response to displayed content (graphics, video or audio). There is no use in *Davis* focus group discussions in an adaptive questioning scheme, and in fact *Davis's* focus group discussions do not at all utilize or require questions to be provided to respondents. Further, as explained hereinabove, in *Davis's* focus group discussions the moderator has limited control over the focus group sessions (col. 6

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lines 10-16), moderator's chat messages are blocked and thus can not be viewed in the respondents' computers (col. 2 lines 44-47), and it does not teach or imply that displayed content may be provided to respondents after receiving respondents' chat message responsive to such previously displayed content.

Accordingly, the teachings of *Brock* and *Davis*, taken separately or in combination, do not teach nor suggests the questioning scheme of claims 9 wherein some questions are provided to respondents after transferring some of the answers to respondents other than those who generated them.

#### Claims 12, 16, 17, 70-72

As indicated in the Office Action *Brock* does not teach transferring answers to respondents, and in fact it is not at all dealing with question generation since its market research studies are based on the ratings and commenting of displayed web pages. Furthermore, *Brock* does not teach or suggest dividing the respondents into sub-groups.

*Davis's* focus group discussions are also not based on a questioning scheme and the content provided to respondents is not adjusted according to respondents' chat messages. It is not suggested nor implied that *Davis's* focus groups may be divided into sub-groups, and in fact the chat room scheme employed by *Davis* wherein chat messages are serially displayed ("chat discussion" or "chat thread" - col. 5 lines 59-64) requires adjustments for allowing such sub-grouping, which are not described nor suggested by *Davis*. The disadvantage of *Davis's* chat room based focus group discussions not being able to be divided into groups is also acknowledged in the Office Action (re claim 17). Furthermore, in *Davis's* focus group discussions "*respondent computer interface also prevents or blocks respondents from viewing and generating client chat messages and moderator chat messages*" (col. 2 lines 44-47). Namely, in *Davis's* focus group discussions moderator's chat messages are blocked and thus can not be viewed in the respondents' computers, and therefore *Davis's*

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moderator has no ability to selectively provide a group of respondents with answers provided by respondents.

Accordingly, the teaching of *Brock* and *Davis*, taken separately or in combination, do not teach nor suggest dividing respondents into sub groups, nor the provision of respondent answers to other participating respondent for commenting. Therefore the subject matter of claims 12, 16, 17, 70-72 is not obvious in view of *Brock* over *Davis* as alleged in the Office Action.

#### Claim 14

*Brock* describes a glimpse view screen that "*provide a real time snapshot of the activity of the focus group at any particular time during a focus study session.*" (col. 5 lines 57-58). While this glimpse screen view may provide the moderator valuable session data "*...the current page being viewed... last page for which a particular respondent provided a comment... whether that particular respondent activated the "like," "dislike," "confused" or "question" button... the number of pages since the last comment, and the time elapsed time since the last comment was provide... the number of hits per respondent..., the total time spent by the respondents, the total "like" votes... the total "dislikes"... total "frustrated" ...*" (col. 13 lines 23-40), it is not indicated nor implied that it provides statistical data. *Brock* further describes that "*the glimpse view screen can be modified by the moderator to display historical data...*" (col. 5 lines 59-67), but it is not indicated nor implied that it may be used to modify the content of the web pages provided to the respondents.

Accordingly, *Brock* market research sessions are not designed to provide the moderator statistical data obtained during the session, and since *Brock's* market research is not based on adaptive question generation, it of course not capable of generating questions responsive to such statistics. It is therefore clear that the subject matter of claim 14 is not obvious in view of *Brock* as alleged in the Office Action.

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### Claim 15

The automated question generated of claim 15 is not just an automation of a manual process as alleged in the Office Action, it is part of a complex adaptive question generation scheme of the invention relying on collected statistics which is influenced by the responses of respondents to answers provided by other respondents. In *re Venner* (120 USPQ 192, 1958) the prior art references actually disclosed the manual process which was automated by the *Venner* patent application (trunk pistons molding by means of a timer and solenoid). The teachings of *Brock* and *Davis* do not at all describe or suggest adaptive question generation, use of statistics or respondents' responses to answers provided by other respondents to adapt and adjust the content provided to respondents. Accordingly, Applicant requests reconsideration of rejection of claim 15.

### Claim 95

As indicated in the Office Action, *Brock's* disclosure does not teach transferring ratings/comments to respondents. *Davis's* chat messages based focus group discussions do not allow delaying the time within which respondents' chat messages are displayed – "*When chat messages are typed, they appear in the active respondent message window 164. Upon selection of the "send" button 166, the message input into the active respondent message window is transmitted to the on-line focus group provider and is subsequently displayed as a next message in the list of messages 168*". *Davis's* disclosure does not teach nor suggest introducing delays in the time within which respondents' chat messages are displayed, and the introduction of such delays in *Davis's* chat message based discussions requires modifications and adjustments which are not described nor implied by *Davis*.

Accordingly, it is understood that the subject matter of claim 95 is not obvious in view of *Brock* or *Davis*, taken separately or in combination.

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#### Claim 113 and 114

As indicated in the Office Action, *Brock* and *Davis* do not mention specific size limitations/constraints of their focus groups. This fact is important since *Brock's* and *Davis's* focus groups are indeed limited to a small number of respondents. For example, *Brock* specifically indicates that "*The invention groups a plurality of respondents (e.g., a focus group) in a room with at least one moderator. The moderator and respondents each have computers operatively networked to each other*" (col. 2 lines 23-26). It is therefore clear that such focus groups are intended for few tens of respondents, and clearly not more than 100 or 1000 respondents.

Moreover, it will be extremely difficult (if at all possible) to conduct *Davis's* chat room based focus group discussions with more than 100 participating respondents, since in *Davis's* sessions the respondents' messages are displayed in each and every respondent's computer. Conducting such focus group discussions with more than 100 participating respondents wherein the respondents read and react to chat message sent, is actually impractical and/or not effective.

Claims 113 and 114 both depend on claim 1, which as explained hereinabove comprises features not described nor suggested by *Brock* or *Davis*, taken separately or in combination. Reconsideration of this rejection of claims 113 and 114 is therefore requested.

**Claim 48 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Brock* U.S. Patent No. 7,181,696 in view of *Davis* U.S. Patent No. 6,256,663 and further in view of *Bates* U.S. Patent No. 6,807,566.**

#### Claim 48

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Applicant disagrees with the contention made in the Office Action for at least the following reasons:

- The disclosures of *Brock* and *Davis* do not teach nor suggest providing respondents' responses to answers provided by other respondents;
- The disclosures of *Brock* and *Davis* do not teach nor suggests adjusting the content presented to the respondents during a session according to rating or comments received from the respondents, such that their sessions can not be adapted to correspond to the course of the sessions at least in this sense;
- As acknowledged in the Office Action neither *Brock* nor *Davis* nor any combination thereof teach receiving respondents' ratings to respondents' answers, and indeed they do not require such data because their sessions are not designed to be adaptive to allow the moderator to adjust the content provided to the respondents during their sessions;
- Neither *Brock* nor *Davis* nor any combination thereof describe "*generating wording for at least one question, responsive to the answers received from the respondents*", as in claim 46, on which claim 48 depends;
- *Bates* describes a method for "*establishing a message rating for an electronic message to be posted by a first user on an electronic message board and adjusting the message rating in response to feedback or comments from a second user*" (col. 1 lines 45-50). By combining the teaching of *Bates* with the teachings of *Brock* and *Davis* one may learn focus groups sessions allowing provision of ratings to the ratings/comments provided by the respondents in response to previously presented content, which is useless in such sessions which were not designed to be adaptively in the first place to allow adjustment of the presented content to the course of their sessions.

It therefore should be acknowledged that the subject matter of claim 48 is not obvious in view of *Brock*, *Davis* and/or *Bates*, taken separately or in combinations.

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**Claims 73-75 and 94 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Brock* U.S. Patent No. 7,181,696 in view of *Davis* U.S. Patent No. 6,256,663 and further in view of *Martino* et al., U.S. Patent No. 6,778,807.**

Claims 73-75

Applicant disagrees with the contention made in the Office Action for at least the following reasons:

- The disclosures of *Brock* and *Davis* do not teach nor suggests adjusting the content presented to the respondents during a session according to rating or comments received from the respondents, such that their sessions can not be adapted to correspond to the course of the sessions;
- As explained hereinabove, in *Davis's* focus group discussions moderator's chat messages are blocked and can not be viewed in the respondents' computers, such that *Davis's* moderator has no ability to provide respondents with data other than the graphics, video or audio content. Similarly, *Brock's* moderator is capable of providing respondents with web pages to view and rate, and may request respondent's comment to the rating provided by himself. Accordingly, the disclosures of neither *Brock* nor *Davis* nor any combination thereof teach or suggest "*transferring at least some of the answers to respondents other than those who generated the answers*", and in fact their systems are not designed to provide such capabilities.
- As acknowledged in the Office Action neither *Brock* nor *Davis* nor any combination thereof teach setting a survey goal, particularly since their sessions are not adaptive and do not allow adjustment of the content presented to the respondents during course of the session;

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- *Martino* relates to market research methods and suggests a method wherein "*the study may continue until a statistic derived from their responses has reached a certain confidence level or statistical power*" (col. 21 lines 28-40). Namely, in *Martino's* method the study may continue until a statistic derived from the respondents' responses reaches a desired level of statistical power. It should be therefore clear that *Martino's* disclosure does teach nor suggests "*setting a survey goal on a statistics to be achieved by the survey*", as defined in claim 73;
- Accordingly, *Martino's* disclosure does teach nor suggests "*comparing a current state of the survey to the goal*", and obviously not "*controlling the providing of the questions or the transferring of the answers responsive to the comparison*", as defined in claim 73;
- By combining the teachings of *Brock*, *Davis* and *Martino*, one may learn a method for carrying sessions employing respondents' ratings or comments to presented web pages and/or graphics, video or audio files which continues until a statistic derived from the respondents' responses reaches a desired level of statistical power;

Accordingly, the subject matter of claim 73 is not obvious in view of *Brock*, *Davis* and/or *Martino*, taken separately or in combinations.

**Claims 91-93 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Brock* U.S. Patent No. 7,181,696 in view of *Davis* U.S. Patent No. 6,256,663 and further in view of Li et al., *Mining from open answers in question data* (2001).**

#### Claim 91

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As indicated in the Office Action neither *Brock* nor *Davis* nor any combination thereof teaches the grouping of similar answer or stating the percentage of answer.

Li et al. teach a survey analysis system *usable only with Japanese language data* (pages 2 col. 2, 1<sup>st</sup> par.) capable of analyzing content of open answers by means of: (A) *accurate extraction of image characteristics for individual car types*, and (B) *accurate extraction of the relationships among car types in terms of image* (page 1 col., 1<sup>st</sup> par.). The grouping referred to in Fig. 3 in Li et al. relates to the grouping of cars images presented to respondents according characterizing words provided in their answers: "*The car types form three groups: (I) Car A and Car B; (II) Car C; (III) Car D, Car E, and Car F. Group I is characterized by the words...*", and it does not relate and not resembles grouping of answers provided to open answers. Li et al. further describe providing "*for each category a 'word histogram' of that category*" (page 2 col. 2, 2<sup>nd</sup> par.), but again, it relates to words appearing in the answers, and since certain words may appear several times in one answer it does not reflect or resembles the providing of the percentage of respondents providing a particular answer. Accordingly, applicant disagrees to the contention made in the Office Action alleging that Li et al. teach grouping similar answers and stating the percentage of respondents providing the answer.

Moreover, neither *Brock*, *Davis* nor Li et al, teach or suggest receiving respondents' responses to answers provided by other respondents, as defined in claim 1, on which claim 91 depends, which thus further supports Applicant contention that the subject matter of claim 91 is not obvious over *Brock*, *Davis* or Li et al, taken separately or in combination.

#### Claim 92

Claim 14 in *Davis's* patent, to which the Office Action relates, covers receiving audio files as part of the chat messages used in *Davis's* focus group discussion, and it does not relate nor resembles in any way analyzing answers, as

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alleged in the Office Action. Li et al. may relate to certain sorts of text mining *usable only with Japanese language data*, but as explained hereinabove it is not usable in the questioning scheme used in the present claims. In addition, since neither *Brock*, *Davis* or Li et al, teach or suggest receiving respondents' responses to answers provided by other respondents, as defined in claim 1, on which claim 92 depends, it should be clear that the subject matter of claim 92 is not obvious over *Brock*, *Davis* or Li et al, taken separately or in combination.

#### Claim 93

As indicated in the Office Action, neither *Brock* nor *Davis* nor any combination thereof teaches stating dominant words. As explained hereinabove Li et al. relates to the number of times words appear in the provided answers. However, since certain words may appear several times in one answer it is not effective for realizing which words can be considered to be a dominant word. Moreover, since neither *Brock*, *Davis* or Li et al, teach or suggest receiving respondents' responses to answers provided by other respondents, as defined in claim 1, on which claim 93 depends, it should be clear that the subject matter of claim 93 is not obvious over *Brock*, *Davis* or Li et al, taken separately or in combination.

**Claims 97-99 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Brock* U.S. Patent No. 7,181,696 in view of *Davis* U.S. Patent No. 6,256,663 and further in view of *Nanos et al.*, U.S. Patent No. 6,381,744.**

#### Claim 97

As explained in details hereinabove, neither *Brock* nor *Davis* nor any combination thereof teach or suggest changing/adjusting the progression of a survey

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session. *Brock* only suggests fixing problematic web pages (col. 9 lines 36-46) during sessions, and *Davis* does not teach nor suggests changing/adjusting the content (graphic, audio or video, files) presented in the focus group discussions during sessions.

*Nanos's* (US 6,381,744) survey kiosk "*may be remotely programmed with new questions*" (Abstract), however it is specifically intended to provide the ability "*to include questions which prompt on the specific newspaper and television organizations in that market*" (col. 11 lines 60-64). Namely, *Nanos's* survey kiosk may be adjusted to include questions prompt on specific newspaper and television organizations, which has nothing to do with the changing of preplanned survey plan as defined in claim 97. Accordingly *Nanos's* teachings do not render the subject matter of claim 97 obvious in any way.

Moreover, since neither *Brock*, *Davis* or *Nanos*, teach or suggest receiving respondents' responses to answers provided by other respondents, as defined in claim 1, on which claim 97 depends, it should be clear that the subject matter of claim 97 is not obvious over *Brock*, *Davis* or *Nanos*, taken separately or in combination.

#### Claim 98

As indicated in the Office Action, and explained in details hereinabove, neither *Brock* nor *Davis* nor any combination thereof teach changing their surveys. *Nanos's* teaching relates to "*skip rotations*" (col. 8 lines 45-54, col. 9 lines 65-67 to col. 10 lines 1-16), wherein the order of questions is changed in order to prevent bias in the survey results. Accordingly, *Nanos* does not teach nor suggest skipping questions in a question roster but just changing their order. Moreover, as explained herein above, since neither *Brock*, *Davis* or *Nanos*, teach or suggest features and elements as defined in claims 1 and 97, on which claim 98 depends, it should be clear that the subject matter of claim 98 is not obvious over *Brock*, *Davis* or *Nanos*, taken separately or in combination.

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### Claim 99

As indicated in the Office Action, neither *Brock* nor *Davis* nor any combination thereof teaches changing a preplanned survey. As explained in details hereinabove, *Nanos* survey kiosk allows changing surveys to include questions prompt on specific newspaper and television organizations and "*skip rotations*" to prevent bias in the survey results. Accordingly, *Nanos* disclosure does not teach nor suggests *changing a preplanned survey plan* as defined in claim 99. Moreover, since neither *Brock*, *Davis* or *Nanos*, teach or suggest features and elements as defined in claims 1 and 97, on which claim 99 depends, it should be clear that the subject matter of claim 99 is not obvious over *Brock*, *Davis* or *Nanos*, taken separately or in combination.

\* \* \* \* \*

For clarity, while the Applicant may describe in the above remarks the teachings of *Brock* (7,181,696), *Davis* (6,256,663), *Bates* (6,807,566), *Martino* 6,778,807, Li et al., and , *Nanos* et al. (6,381,744), individually but are traversing the rejection with respect to the combination of these references, *infra*. That is, the Applicant are not attacking the references individually, rather addressing the combinations of references as set forth in the instant Office Action.

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**Conclusion**

In view of the above amendments and remarks it is respectfully submitted that claims 1, 9, 12, 14-17, 19, 23, 46-51, 70-75, 88-100, 113-115 are now in condition for allowance. A prompt notice of allowance is respectfully and earnestly solicited.

Prior to mailing of the Examiner's next Official Action, the Examiner and his Supervisor are invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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Date: September 22, 2010

**Enclosures:**

- References - "MR-Live Product Overview presentation (2001)" and "NetOnCourse – Master of Future Think"